

Gregory A. Vega, Esq. (SBN: 141477)
 David M. Greeley, Esq. (SBN 198520)
 SELTZER CAPLAN McMAHON VITEK
 A Law Corporation
 750 B Street, Suite 2100
 San Diego, California 92101-8177
 Telephone: (619) 685-3003
 Facsimile: (619) 685-3100
 E-Mail: vega@scmv.com; greeley@scmv.com

Attorneys for Defendants BAJA EXPORTING, LLC and
 JOSEPH SHAYOTA

**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF NEW YORK**

INNOVATION VENTURES, LLC and LIVING
 ESSENTIALS, LLC,,

Plaintiffs,

v.

ULTIMATE ONE DISTRIBUTING CORP, ET
 AL.,

Defendants.

Case No. 1:12-cv-05354 (KAM-RLM)

PROOF OF SERVICE

Complaint Filed: October 25, 2012
 Trial Date: None set

I am employed in the County of San Diego, State of California. I am over the age of eighteen (18) and am not a party to the within action; my business address is 750 B Street, Suite 2100, San Diego, California 92101-8177.

On the date listed below, I served **DEFENDANTS TRADEWAY INT'L dba BAJA EXPORTING, JOSEPH SHAYOTA AND ADRIANA SHAYOTA'S:**

1. **REPLY BRIEF TO MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION OR ALTERNATIVELY FOR IMPROPER VENUE;**
2. **DECLARATION OF DAVID M. GREELEY; and**
3. **LETTER TO THE COURT.**

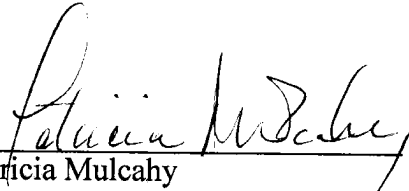
on all interested parties in this action as follows:

- ☒ **BY ELECTRONIC CASE FILING:** The document(s) described above were served on the parties in this action through the Eastern District of New York Electronic Case Filing system on the counsel listed in the attached Service List.
- ☒ **BY E-MAIL:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses as shown on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the above is true

and correct.

Executed on May 2, 2013 at San Diego, California.


Patricia Mulcahy

SERVICE LIST
(Updated 5/1/13)

Alexander Michaels, Esq.
Christos George Yatrakis, Esq.
Geoffrey Potter, Esq.
Jane Metcalf, Esq.
Jeremy Alexander Weinberg, Esq.
Jonah Moses Knobler, Esq.
Thomas Philip Kurland, Esq.
Michelle Waller Cohen, Esq.
PATTERSON BELKNAP WEBB & TYLER
1133 Avenue of the Americas
New York, NY 10036
T: 212-336-2000
F: 212-336-2222
amichaels@pbwt.com
cyatrakis@pbwt.com
gpotter@pbwt.com
jmetcalf@pbwt.com
jweinberg@pbwt.com
jknobler@pbwt.com
tkurland@pbwt.com
mcohen@pbwt.com

Attorneys for Plaintiffs Innovation Ventures,
LLC and Living Essential, LLC

Darin J. LeBeau, Esq.
OAKLAND LAW GROUP, PLLC
38955 Hills Tech Drive
Farmington, MI 48331
T: 248-560-0452
F: 248-871-9895
mcditigation@pbwt.com

Attorneys for Plaintiffs Innovation Ventures,
LLC, Living Essential, LLC and International
IP Holdings LLC

Randi Wolkenbreit Singer, Esq.
WEIL, GOTSHAL & MANGES, LLP
767 Fifth Avenue
New York, NY 10153
T: 212-310-8000
F: 212-310-8007
Randi.singer@weil.com

Attorneys for Defendant Core-Mark
International, Inc.

Hara K. Jacob, Esq.
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
T: 215-864-8209
F: 215-864-8999
jacobsh@ballardspahr.com

Attorneys for Defendant Valero Retail
Holdings, Inc.

SELTZER CAPLAN McMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

SELTZER CAPLAN MCMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

1 Joseph P. Goldberg, Esq.
Jacquelyn Renee Trussell, Esq.
2 HODGSON RUSS LLP
1540 Broadway, 24th Floor
3 New York, NY 10036
T: 212-751-4300
4 F: 212-751-0928
jgoldberg@hodgsonruss.com
5 jtrussell@hodgsonruss.com

Attorneys for Defendant Brothers Trading
Co., Inc. dba Victory Wholesale Grocers

6 Andre K. Cizmarik, Esq.
Anthony J. Viola, Esq.
7 Zachary Winthrop Silverman, Esq.
EDWARDS WILDMAN PALMER LLP
8 750 Lexington Avenue
New York, NY 10022
9 T: 212-308-4411
F: 212-888-325-9598
10 acizmarik@edwardswildman.com
aviola@edwardswildman.com
11 zsilverman@edwardswildman.com

Attorneys for Defendant Quality King
Distributions, Inc.

12 Richard S. Schurin, Esq.
Ariel Samuel Peikes, Esq.
13 GOTTLIEB, RACKMAN & REISMAN, P.C.
270 Madison Avenue, 8th Floor
14 New York, NY 10016
T: 212-684-3900
15 F: 212-684-3999
rschurin@grr.com
16 apeikes@grr.com

Attorneys for Defendants Baseline
Distribution, Inc. and David Flood

17 Stanley R. Goodman, Esq.
Martin I. Saperstein, Esq.
18 GOODMAN & SAPERSTEIN, ESQS.
666 Old Country Road, Suite 530
19 Garden City, NY 11530
T: 516-227-2100
20 F: 516-228-8120
gsesq600@aol.com

Attorneys for Defendants Food Distributors
International, Inc. and Scott Tilbrook

21 Bruce M. Sabados, Esq.
22 Gregory Charles Johnson, Esq.
KATTEN MUCHIN ROSEMAN LLP
23 575 Madison Avenue
New York, NY 10022
24 T: 212-940-8800
F: 212-940-8776
25 Bruce.sabados@kmzr.com
Gregory.johnson@kattenlaw.com

Attorneys for Defendants Universal
Wholesale, Inc. and Joseph Sevany

26 Michael Barton, Esq.
27 Chiara Mattieson, Esq.
Megan P. McKnight, Esq.
28 PLUNKETT COONEY

Attorneys for Defendants Universal
Wholesale, Inc. and Joseph Sevany

SELTZER CAPLAN MCMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

38505 Woodward Avenue, Ste. 2000
Bloomfield Hills, MI 48304
T: 248-901-4070
F: 248-901-4040
mbarton@plunkettcooney.com
cmattieson@plunkettcooney.com
mmcknight@plunkettcooney.com

Gregory Charles Johnson, Esq.
KATTEN MUCHIN ROSENMAN LLP
575 Madison Avenue
New York, NY 10022
T: 212-940-6599
Gregory.johnson@kattenlaw.com

Attorneys for Defendants Universal
Wholesale, Inc. and Joseph Sevany

Anthony R. Paesano, Esq.
Brian M. Akkashian, Esq.
Richard Apkarian, Jr., Esq.
PAESANO AKKASHIAN, PC
7457 Franklin Road, Ste. 200
Bloomfield Hills, MI 48301
T: 248-792-6886
F: 248-792-6885
apaesano@paesanoakkashian.com
bakkashian@paesanoakkashian.com
rapkarian@paesanoakkashian.com

Attorneys for Defendants JT Wholesale, Inc.,
Midwest Wholesale Distributors, Trimexico,
Inc., Justin Shayota, Raid Jamil and Walid
Jamil

Danielle Marie Defilippis, Esq.
NORRIS McLAUGHLIN & MARCU, PA
875 Third Avenue, 8th Floor
New York, NY 10022
T: 212-808-0700
F: 212-808-0844
dmdefilippis@nmmlaw.com

Attorneys for Defendants JT Wholesale, Inc.,
Midwest Wholesale Distributors, Trimexico,
Inc., Justin Shayota, Raid Jamil and Walid
Jamil

Jess M. Berkowitz, Esq.
401 Broadway, Ste. 1510
New York, NY 10013
T: 212-431-4453
F: 212-431-4471
jessberkowitzesq@aol.com

Attorneys for Defendants Delta Distribution
Services Corp., Sulaiman S. Aamir and
Empire Trade Wholesaler Corp.

Timothy Connaughton, Esq.
James K. Thome, Esq.
VANDEVEER GARZIA
1450 West Long Lake, Ste. 100
Troy, MI 48098
T: 248-312-2916
F: 248-267-1242
tconnaughton@vgpclaw.com
jthome@vgpclaw.com

Attorneys for Defendant Capital Sales
Company, Ltd.

Bridget Anne Crawford, Esq.
J. Christopher Jensen, Esq.
COWAN LIEBOWITZ & LATMAN PC

Attorneys for Defendants Elegant Trading,
Inc. and Ahmed Bhimani

SELTZER CAPLAN MCMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

1 1133 Avenue of the Americas
New York, NY 10036
2 T: 212-790-9200
F: 212-575-0671
3 bac@cjl.com
icj2cjl.com

4 Brian J. Davis, Esq.
5 LAW OFFICE OF BRIAN J. DAVIS
400 Garden City Plaza, Ste. 450
6 Garden City, NY 11530
T: 517-542-0249
7 F: 517-542-0259
ah@bjdpc.com

Attorneys for Defendant Shah Distributors,
Inc.

8 Daniel Jason DiMuro, Esq.
9 GORDON & REES LLP
18 Columbia Turnpike, Ste. 220
10 Florham Park, NJ 07932
T: 973-549-2500
11 ddimuro@gordonrees.com

Attorneys for Defendants MCR Innovations
and Packaging, Inc., MCR Printing and
Packaging Corp., Camilo Ramirez, Mario
Ramirez and Naftaunited.com

12 Ronald A. Giller, Esq.
13 GORDON & REES LLP
90 Broad St., 23rd Floor
14 New York, NY 10004
T: 212-269-5500
F: 212-269-5505
15 griller@gordonrees.com

Attorneys for Defendants MCR Innovations
and Packaging, Inc., MCR Printing and
Packaging Corp., Camilo Ramirez, Mario
Ramirez and Naftaunited.com

16 Zachary S. Goldberg, Esq.
17 GOLDBERG, CORWIN & GREENBERG, LLP
331 Madison Avenue, 15th Floor
New York, NY 10017
18 T: 212-986-1000
F: 212-986-8039
19 zgoldberg@gcgllp.com

Attorneys for Defendants Steerforth Trading,
Inc. and Isaac Anzaroot

20 Natasha Sardesai Grant, Esq.
Howard J. Shire, Esq.
21 KENYON & KENYON LLP
1 Broadway
22 New York, NY 10004
T: 212-908-6851
23 F: 212-425-5288
nsardesai@kenyon.com
24 hshire@kenyon.com

Attorneys for Defendant CVS Caremark Corp.

25 Todd D. Greenberg, Esq.
26 ADDABBO & GREENBERG
118-21 Queens Blvd., Ste. 306
Forest Hills, NY 11375
27 T: 718-268-0400
F: 718-575-9869
28 todd@queenslaw.com

Attorneys for Defendants Price Master Corp.,
Ultimate One Distributing Corp., Abdul Satar
Najimi, Gulam Najimui and Wally Najimi

SELTZER CAPLAN McMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

1 Rashida A. Khan, Esq.
2 LAW OFFICES OF WILLIAM A. MARKHAM, PC
3 550 West C Street, Ste. 2040
4 San Diego, CA 92101
5 T: 619-221-4400
6 F: 619-224-3974
7 rk@markhamlawfirm.com

Attorneys for Defendants Kevin Attiq and
Dan-Dee Company, Inc.

5 Maura Griffin, Esq.
6 LAW OFFICES OF WILLIAM A. MARKHAM, PC
7 550 West C Street, Ste. 2040
8 San Diego, CA 92101
9 T: 619-906-4446
10 F: 619-906-4447
11 mg@maurafriffinlaw.com

Attorneys for Defendant Kevin Attiq

9 Steven A. Elia, Esq.
10 LAW OFFICES OF STEVEN A. ELIA APC
11 2221 Camino Del Rios, Ste. 207
12 San Diego, CA 92108
13 T: 619-444-2244
14 F: 619-440-2233
15 steve@elialaw.com

Attorneys for Defendant Kevin Attiq

13 Brian A. Kalman, Esq.
14 LONDON FISCHER, LLP
15 59 Maiden Lane
16 New York, NY 10038
17 T: 212-972-1000
18 F: 212-972-1030
19 bkalman@londonfischer.com

Attorneys for Defendant Capital Sales
Company, Ltd.

17 John Ko, Esq.
18 1855 W. Katella Avenue, Ste. 365
19 Orange, CA 92867
20 T: 714-771-5875
21 F: 714-771-2689
22 ikcellistlawyer@gmail.com

Attorneys for Defendants Moa Trading, Inc.
and David K. Lee

21 Stephen J. Kressel, Esq.
22 KRESSEL, ROTHLEIN, WLASH & ROTH LLC
23 684 Broadway
24 Massapequa, NY 11758
25 T: 516-798-5363
26 F: 516-798-5498
27 s.kressel@krwrlaw.com

Attorneys for Defendant Excel Wholesale
Distributors, Inc.

25 Jason Joseph Lavery, Esq.
26 Vincent A. Nagler, Esq.
27 CALLEN KOSTER BRADY & BRENNAN
28 1 Whitehall Street
New York, NY 10004
T: 212-248-8800
F: 212-248-6815

Attorneys for Defendants Richmond
Wholesale Company, Inc. and Saquib Khan

SELTZER CAPLAN MCMAHON VITEK
750 B STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8177

jlavery@ckbbblaw.com
vnagler@ckbbblaw.com

Stephen M. Lobbin, Esq.
THE ECLIPSE GROUP LLP
2020 Main St., Ste. 600
Irvine, CA 92614
T: 949-851-5000
F: 949-851-5051
sml@scclipsegrp.com

Attorneys for Defendants Juan Romero
Gutierrez, Advanced Nutraceutical
Manufacturing, LLC and Nutrition Private
Label, Inc.

Leslie Nizin, Esq.
125-10 Queens Blvd.
Kew Gardens, NY 11415
T: 718-263-2411
F: 718-263-2911
lnizin@aol.com

Attorneys for Defendant Top Choice Trading
USA, Inc.

Stanton L. Phillips, Esq.
LAW OFFICES OF STANTON LEE PHILLIPS
433 N. Camden Dr., Ste. 970
Beverly Hills, CA 90210
T: 310-859-9900
F: 310-859-7788
stan@slphillipsllaw.com

Attorneys for Defendant One Stop Label
Corporation

Gordon J. Zuiderweg, Esq.
LAW OFFICES OF BARRY K. ROTHMAN
1901 Avenue of the Stars, Ste. 370
Los Angeles, CA 90067
T: 310-557-0062
F: 310-557-9080
bkr@bkrlegal.com

Attorneys for Defendants Leslie Roman,
Flexopack and Donna Roman

Arnold J. Hauptman, Esq.
686 Broadway
Massapequa, NY 11758
T: 516-541-7200
shauptman@aol.com

Attorneys for Defendants 7-Eleven Store
#11181, 7-Eleven Store #23407, 7-Eleven
Store #11152, 7-Eleven Store #32760 and 7-
Eleven Store #25449C-2422